

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

) CRIMINAL NO. 12-325

v.

) (Judge *Caldwell*)

TRAVIS J. RUSS,
SYLVESTER JOSEPH,
JARRETT HOBBS,
KHIANTE L. THOMPSON,
PHILLIP ETIENNE,
WILLIE LANARRIS OGISTE,
TERESA LYNN BRIMHALL,
APRIL D. AINSWORTH,
COLLEEN TERESA SHELLEY,
WENDY LYNN SNYDER-LUCAS,
Defendants)

FILED
HARRISBURG

DEC 19 2012

MARY E. D'ANDREA, CLERK
Per _____ DEPUTY CLERK

INDICTMENT

Count 1

18 U.S.C. § 1349

(Conspiracy to Commit Bank Fraud and Wire Fraud)

1. From on or about August to October 2012, in the Middle District of Pennsylvania, and elsewhere, the defendants,

TRAVIS J. RUSS, A/K/A, "COOGI,"
SYLVESTER JOSEPH, A/K/A "GI,"
JARRETT HOBBS, A/K/A "WAYNE,"
KHIANTE L. THOMPSON, A/K/A "KILO," "BABY,"
PHILLIP ETIENNE, A/K/A "CHRIS,"
WILLIE LANARRIS OGISTE,
TERESA LYNN BRIMHALL,

**APRIL D. AINSWORTH,
COLLEEN TERESA SHELLEY,
WENDY LYNN SNYDER-LUCAS,**

did knowingly combine, conspire, confederate, and agree, with each other and with others known and unknown to the grand jury, to commit the following offenses against the United States: Bank Fraud, in violation of Title 18, United States Code, Section 1344; and Wire Fraud, in violation of Title 18, United States Code, Section 1343.

2. The purpose of the conspiracy was to unlawfully obtain funds from federally insured financial institutions.

3. The manner and means of the conspiracy involved the participants traveling in rented cars from Florida to the Middle District of Pennsylvania, as well as other locations outside of the district, for the purpose of stealing checks, credit cards, and identification materials and taking funds from the victims' bank accounts.

4. One group of the conspirators primarily focused upon breaking into unattended vehicles parked at Pennsylvania state parks. In the time period alleged in this indictment, the participants broke into and/or stole the identification of over 100 individuals who were parked in over 25 different state parks and recreation centers in Pennsylvania.

5. The second group of conspirators used the stolen checks and identification to obtain funds from banks and credit unions. Specifically, a conspirator – disguised as the account holder – used the drive through lane at the account holder’s bank. There the conspirator submitted to the teller a forged check with the stolen identification of the victim. And, on numerous occasions, the bank or credit union representative, upon viewing the identification and check, provided the conspirator with the requested funds. Through this process, these conspirators successfully compromised numerous accounts and stole tens of thousands of dollars in funds.

6. Also, as a part of the scheme, the participants used the stolen credit and debit cards for expenses of the conspiracy.

7. The banks and credit unions were federally insured institutions, and the theft and fraudulent transactions caused wire communications to cross state lines.

All in violation of Title 18, United States Code, Section 1349.

THE GRAND JURY FURTHER CHARGES THAT:

Count 2
18 U.S.C. §§ 1344 and 2
(Bank Fraud)

8. The allegations contained in the other counts in this indictment are incorporated by reference into this charge.
9. From on or about August to October 2012, in the Middle District of Pennsylvania, and elsewhere, the defendants,

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devised a scheme and artifice to defraud multiple federally insured financial institutions, including but not limited to Members First Federal Credit Union, M&T Bank, Wells Fargo Bank, Nittany National Bank, Bank of Landisburg, Sovereign Bank, Orrstown Bank, U.S. Bank, Fulton Bank, and Patriot Federal Credit Union. The defendants attempted to and did obtain funds owned by or under the custody or control of these financial institutions by means of false or fraudulent representations or promises.

10. Each defendant did aid and abet the conduct of the other participants and are thus culpable for this offense.

11. As co-conspirators, each defendant is responsible for the conduct of their co-conspirators pursuant to *Pinkerton v. United States*, 328 U.S. 640 (1946).

All in violation of Title 18, United States Code, Sections 1344 and 2.

THE GRAND JURY FURTHER CHARGES THAT:

Count 3
18 U.S.C. §§ 1343 and 2
(Wire Fraud)

12. The allegations contained in the other counts in this indictment are incorporated by reference into this charge.

13. From on or about August to October 2012, in the Middle District of Pennsylvania, and elsewhere, the defendants,

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devised and intended to devise a scheme and artifice to defraud others, including but not limited to the financial institutions and individuals identified in this indictment, of their property. In furtherance of this material scheme and artifice to defraud, the defendants transmitted and caused writings, signals and sounds to be transmitted by means of wire communication in interstate commerce.

14. For instance, on September 9, 2012, the defendants broke into a vehicle parked at Colonel Denning State Park and stole an individual’s

identification and checks for her account at Fulton Bank. In the following days, the defendants submitted four checks at different bank locations within the Middle District of Pennsylvania causing a total of \$8,350 to be withdrawn from the victim's checking account. These transactions caused wire communications within the banking system some of which crossed state lines.

15. Each defendant did aid and abet the conduct of the other participants and are thus culpable for this offense.

16. As co-conspirators, each defendant is responsible for the conduct of their co-conspirators pursuant to *Pinkerton v. United States*, 328 U.S. 640 (1946).

All in violation of Title 18, United States Code, Section 1343.

THE GRAND JURY FURTHER CHARGES THAT:

Count 4
18 U.S.C. §§ 1028A(a)(1) and 2
(Aggravated Identity Theft)

17. The allegations contained in the other counts in this indictment are incorporated by reference into this charge.
18. From in or about August to October 2012, in the Middle District of Pennsylvania, and elsewhere, the defendants,

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did knowingly use in or affecting interstate or foreign commerce, without lawful authority, a means of identification of another person and knowing it was the means of identification of another person with the intent to commit the unlawful activity of conspiracy to commit bank fraud, Title 18, United States Code, Section 1349; bank fraud, Title 18, United States Code, Section 1344; and wire fraud, Title 18, United States Code, Section 1343, as alleged in counts one, two and three of this indictment.

19. Each defendant did aid and abet the conduct of the other participants and are thus culpable for this offense.

20. As co-conspirators, each defendant is responsible for the conduct of their co-conspirators pursuant to *Pinkerton v. United States*, 328 U.S. 640 (1946). All in violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

A TRUE BILL

Foreperson

DATE

PETER J. SMITH
UNITED STATES ATTORNEY

Michael A. Consiglio
Michael A. Consiglio
Assistant United States Attorney